



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CHESNUT *et al.*

Appl. No.: 10/005,876

Filed: December 7, 2001

For: **Methods and Compositions for  
Synthesis of Nucleic Acid Molecules  
Using Multiple Recognition Sites**

Confirmation No.: 7958

Art Unit: 1636

Examiner: Ketter, James S.

Atty. Docket: 0942.5340002/BJD/JKM

**Tenth Supplemental Information Disclosure Statement  
Filing Under 37 C.F.R. § 1.97(b)**

*Mail Stop Amendment*

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Forms PTO/SB/08A and PTO/SB/08B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Tenth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Ninth Supplemental Information Disclosure Statement filed on February 8, 2005 in connection with the above-captioned application.

Copies of documents **AO14**, **AP14**, and **AT137-AS141** are submitted herewith. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and patent application publications, documents **AJ13-AB14**, cited on the attached Form PTO/SB/08A are not submitted.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is

not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. .

This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114, filed herewith. No statement or fee is required.

It is respectfully requested that the Examiner initial and return copies of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

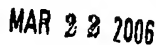


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Substitute Form 1449/PTO

*(Use as many sheets as necessary)*

**Complete if Known**

Application Number	10/005,876
Filing Date	December 7, 2001
First Named Inventor	Jonathan D. CHESNUT
Art Unit	1636
Examiner Name	Ketter, James S.
Attorney Docket Number	0942.5340002/BJD/JKM

Sheet	1	of	1
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## U.S. PATENT DOCUMENTS

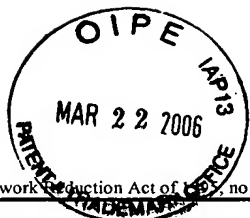
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	AO14	WO 96/23904 A1	08/08/1996	Replicon, Inc.		
	AP14	WO 98/56943 A1	12/17/1998	Sloan-Kettering Institute for Cancer Research and Invitrogen Corporation		

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* Applicant's unique citation designation number (optional). \* See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. \* Enter Office that issued the document, by the two-letter code (WIPO Standard St.3). \* For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \* Kind of document by the appropriate symbols as indicated on the document under WIPO Standard St.16 if possible. \* Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO		<b>Complete if Known</b>			
<b>TENTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)		Application Number	10/005,876		
		Filing Date	December 7, 2001		
		First Named Inventor	Jonathan D. CHESNUT		
		Art Unit	1636		
		Examiner Name	Ketter, James S.		
Sheet	1	of	2	Attorney Docket Number	0942.5340002/BJD/JKM

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	AT137	Bliska, J.B. and Cozzarelli, N.R., "Use of Site-specific Recombination as a Probe of DNA Structure and Metabolism <i>in Vivo</i> ," <i>J. Mol. Biol.</i> 194:205-218, Academic Press Inc. (1987)	
	AR138	Chatterjee, P.K. and Sternberg, N.L., "Retrofitting high molecular weight DNA cloned in P1: introduction of reporter genes, markers selectable in mammalian cells and generation of nested deletions," <i>Genet. Anal. Biomol. Engin.</i> 13:33-42, Elsevier Science B.V. (1996)	
	AS138	Cheng, C. and Shuman, S., "Recombinogenic Flap Ligation Pathway for Intrinsic Repair of Topoisomerase IB-Induced Double-Strand Breaks," <i>Mol. Cell. Biol.</i> 20:8059-8068, American Society for Microbiology (November 2000)	
	AT138	Cheng, C., <i>et al.</i> , "Conservation of Structure and Mechanism between Eukaryotic Topoisomerase I and Site-Specific Recombinases," <i>Cell</i> 92:841-850, Cell Press (1998)	
	AR139	Kanegae, Y., <i>et al.</i> , "Efficient gene activation in mammalian cells by using recombinant adenovirus expressing site-specific Cre recombinase," <i>Nucleic Acids Res.</i> 23:3816-3821, Oxford University Press (1995)	
	AS139	Kim, R.A. and Wang, J.C., "Identification of the Yeast <i>TOP3</i> Gene Product as a Single Strand-specific DNA Topoisomerase," <i>J. Biol. Chem.</i> 267:17178-17185, The American Society for Biochemistry and Molecular Biology, Inc. (1992)	
	AT139	Liber, A., <i>et al.</i> , "Recombinant Adenoviruses with Large Deletions Generated by Cre-Mediated Excision Exhibit Different Biological Properties Compared with First-Generation Vectors In Vitro and In Vivo," <i>J. Virol.</i> 70:8944-8960, American Society for Microbiology (1996)	
	AR140	Sekiguchi, J. and Shuman, S., "Requirements for noncovalent binding of vaccinia topoisomerase I to duplex DNA," <i>Nucleic Acids Res.</i> 22:5360-5365, Oxford University Press (1994)	
	AS140	Shuman, S., "Vaccinia virus DNA topoisomerase: a model eukaryotic type IB enzyme," <i>Biochim. Biophys. Acta</i> 1400:321-337, Elsevier Science B.V. (1998)	
	AT140	Walhout, A.J.M., <i>et al.</i> , "Protein Interaction Mapping in <i>C. elegans</i> Using Proteins Involved in Vulval Development," <i>Science</i> 287:116-122, American Association for the Advancement of Science (January 2000)	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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